

1           **\*-0903/2.34\*SECTION 1025.** 49.155 (6) (e) 3. e. of the statutes is amended to  
2 read:

3           49.155 (6) (e) 3. e. For a child care provider who receives a 5–star rating, the  
4 ~~department may increase the maximum reimbursement rate by up to 10 percent,~~  
5 ~~except that beginning on January 1, 2013,~~ the department may increase the  
6 maximum ~~reimbursement~~ payment rate for such a child care provider by up to 25  
7 percent.

8           **\*-0903/2.35\*SECTION 1026.** 49.155 (6) (e) 5. of the statutes is amended to read:

9           49.155 (6) (e) 5. For purposes of modifying ~~reimbursement~~ payment rates  
10 under subd. 3., the department shall assign a child care provider that is accredited  
11 from the Council on Accreditation a 4–star rating or 5–star rating, whichever the  
12 department determines is appropriate.

13           **\*-0903/2.36\*SECTION 1027.** 49.155 (6d) (a) 2. of the statutes is amended to  
14 read:

15           49.155 (6d) (a) 2. Notwithstanding Subject to sub. (5) (b), increase the  
16 copayment amount that an individual must pay toward the cost of child care received  
17 under this section.

18           **\*-0903/2.37\*SECTION 1028.** 49.155 (6d) (a) 3. of the statutes is amended to  
19 read:

20           49.155 (6d) (a) 3. Notwithstanding sub. (6), adjust the amount of  
21 ~~reimbursement paid~~ payment to child care providers providing child care services  
22 under this section.

23           **\*-0903/2.38\*SECTION 1029.** 49.155 (6g) (am) (intro.) of the statutes is amended  
24 to read:

## SECTION 1029

1           49.155 (6g) (am) (intro.) If ~~reimbursement~~ payment to a child care provider is  
2       based on authorized hours of child care, the department shall do all of the following  
3       with respect to establishing and adjusting the number of authorized hours per child:

4           \***-0903/2.39**\*SECTION 1030. 49.155 (7) (title) of the statutes is amended to read:

5           49.155 (7) (title) REFUSAL TO PAY OF PAYMENT TO CHILD CARE PROVIDERS.

6           \***-0903/2.40**\*SECTION 1031. 49.155 (7) (a) 1. of the statutes is amended to read:

7           49.155 (7) (a) 1. If a child care provider is convicted of a serious crime, as defined  
8       in s. 48.685 (1) (c) 3m., or if a caregiver specified in s. 48.685 (1) (ag) 1. a. or a nonclient  
9       resident, as defined in s. 48.685 (1) (bm), of the child care provider is convicted or  
10      adjudicated delinquent for committing a serious crime on or after his or her 12th  
11      birthday, the department or the county department under s. 46.215, 46.22, or 46.23  
12      shall refuse to ~~pay~~ allow payment to the child care provider for any child care  
13      provided under this section beginning on the date of the conviction or delinquency  
14      adjudication.

15          \***-0903/2.41**\*SECTION 1032. 49.155 (7) (b) (intro.) of the statutes is amended  
16      to read:

17          49.155 (7) (b) (intro.) The department or the county department under s.  
18      46.215, 46.22, or 46.23 may refuse to ~~pay~~ allow payment to a child care provider for  
19      child care provided under this section if any of the following applies to the child care  
20      provider or to a caregiver specified in s. 48.685 (1) (ag) 1. a. or nonclient resident, as  
21      defined in s. 48.685 (1) (bm), of the child care provider:

22          \***-0903/2.42**\*SECTION 1033. 49.159 (1) of the statutes is renumbered 49.159 (1)  
23      (a) (intro.) and amended to read:

24          49.159 (1) (a) (intro.) An individual who would be eligible under s. 49.145  
25      except that the individual is the noncustodial parent of a dependent child, is eligible

1 for services and benefits under ~~this subsection if the dependent child's custodial~~  
2 ~~parent is a participant and par. (b) if the individual is subject to a child support order.~~  
3 ~~The Wisconsin works agency may provide job search assistance and case~~  
4 ~~management designed to enable eligible noncustodial parents to obtain and retain~~  
5 ~~employment. and any of the following applies to the custodial parent of the~~  
6 dependent child:

7 **\*-0903/2.43\*SECTION 1034.** 49.159 (1) (a) 1. of the statutes is created to read:

8 49.159 (1) (a) 1. The custodial parent is receiving case management services  
9 under s. 49.147 (2) (am).

10 **\*-0903/2.44\*SECTION 1035.** 49.159 (1) (a) 2. of the statutes is created to read:

11 49.159 (1) (a) 2. The custodial parent is participating in a Wisconsin Works  
12 employment position.

13 **\*-0903/2.45\*SECTION 1036.** 49.159 (1) (a) 3. of the statutes is created to read:

14 49.159 (1) (a) 3. The custodial parent is receiving a grant under s. 49.148 (1m).

15 **\*-0903/2.46\*SECTION 1037.** 49.159 (1) (a) 4. of the statutes is created to read:

16 49.159 (1) (a) 4. The custodial parent is receiving a subsidy for child care for  
17 the dependent child under s. 49.155.

18 **\*-0903/2.47\*SECTION 1038.** 49.159 (1) (b) of the statutes is created to read:

19 49.159 (1) (b) A Wisconsin Works agency may provide to an individual who is  
20 eligible under par. (a) any of the following services or benefits:

21 1. Job search assistance and case management designed to enable the  
22 individual to obtain and retain employment.

23 2. Placement in one job under s. 49.147 (3).

24 3. A stipend in an amount determined by the Wisconsin Works agency for not  
25 more than 4 months. A stipend under this subdivision terminates if the individual

1 is placed in a job under s. 49.147 (3) or obtains unsubsidized employment, as defined  
2 in s. 49.147 (1).

3 **\*-0063/4.25\*SECTION 1039.** 49.161 (1) (title) of the statutes is amended to read:

4 49.161 (1) (title) TRIAL EMPLOYMENT MATCH PROGRAM JOBS OVERPAYMENTS.

5 **\*-0090/4.2\*SECTION 1040.** 49.163 of the statutes is created to read:

6 **49.163 Transform Milwaukee Jobs program. (1) DEFINITIONS.** In this  
7 section:

8 (a) “Wisconsin Works” has the meaning given in s. 49.141 (1) (p).

9 (b) “Wisconsin Works employment position” has the meaning given in s. 49.141  
10 (1) (r).

11 **(2) ELIGIBILITY FOR PROGRAM.** (a) The department shall establish a Transform  
12 Milwaukee Jobs program in Milwaukee County. To be eligible to participate in the  
13 program, an individual must satisfy all of the following criteria:

14 1. Be at least 18 years of age.

15 2. If over 24 years of age, be a biological or adoptive parent of a child under 18  
16 years of age whose parental rights to the child have not been terminated or be a  
17 relative and primary caregiver of a child under 18 years of age.

18 3. Have an annual household income that is below 150 percent of the poverty  
19 line.

20 4. Be unemployed for at least 4 weeks.

21 5. Be ineligible to receive unemployment insurance benefits.

22 6. Not be participating in a Wisconsin Works employment position.

23 (b) For purposes of par. (a) 3., the household income of an individual  
24 transitioning from foster care to independent living shall be based on the individual's

1 own income over a period determined by the department and shall not include the  
2 household income of the individual's foster parents.

3 (c) The department may establish additional eligibility criteria consistent with  
4 its mission and the funding available.

5 **(3) PROGRAM DESCRIPTION.** (a) The program under this section shall include all  
6 of the following features and requirements:

7 1. An individual may participate in the program for a maximum of 1,040 hours  
8 actually worked.

9 2. The department shall determine and specify in a contract whether a  
10 contractor under sub. (4) or an employer is the individual's employer of record. The  
11 employer of record shall pay the individual for hours actually worked at not less than  
12 the federal or state minimum wage that applies to the individual.

13 3. The department may reimburse an employer, or a contractor under sub. (4),  
14 that employs an individual participating in the program for a minimum of 20 hours  
15 per week at a location in this state for any of the following costs that are attributable  
16 to the employment of the individual under the program:

17 a. A wage subsidy equal to the amount of wages that the employer or contractor  
18 pays to the individual for hours actually worked, not to exceed 40 hours per week at  
19 the federal or state minimum wage that applies to the individual.

20 b. Federal social security and Medicare taxes.

21 c. State and federal unemployment contributions or taxes, if any.

22 d. Worker's compensation insurance premiums, if any.

23 4. An employer, or, subject to the approval of the department, a contractor  
24 under sub. (4), that employs an individual participating in the program may pay the

1 individual an amount that exceeds any wage subsidy paid to the employer or  
2 contractor by the department under subd. 3. a.

3 5. The employment of an individual under this section may not do any of the  
4 following:

5 a. Have the effect of filling a vacancy created by an employer terminating a  
6 regular employee or otherwise reducing its work force for the purpose of hiring an  
7 individual under this section.

8 b. Fill a position when any other person is on layoff or strike from the same or  
9 a substantially equivalent job within the same organizational unit.

10 c. Fill a position when any other person is engaged in a labor dispute regarding  
11 the same or a substantially equivalent job within the same organizational unit.

12 (b) The department may set priorities for the program consistent with its  
13 mission and available funding.

14 (4) CONTRACT FOR ADMINISTRATION. The department may contract with any  
15 person to administer the program under this section, including a Wisconsin Works  
16 agency; county department under s. 46.215, 46.22, or 46.23; local workforce  
17 development board established under 29 USC 2832; or community action agency  
18 under s. 49.265. The department, or the agency or agencies with which the  
19 department contracts under this subsection, shall do all of the following:

20 (a) Determine the eligibility of applicants for the program.

21 (b) Provide, or identify employers to provide, jobs for individuals transitioning  
22 to unsubsidized employment from unemployment, underemployment, limited work  
23 history, foster care, or other circumstances identified by the department.

24 (c) Conduct job orientation activities.

1 (d) Provide employment services, as specified by the department, for program  
2 participants.

3 (e) Maintain and update participant demographic, eligibility, and employment  
4 records in the manner required by the department.

5 **(5) RECOVERY OF OVERPAYMENTS.** (a) The department may recover from any  
6 individual participating, or who has participated, in the program under this section  
7 any overpayment resulting from a misrepresentation by the individual as to any  
8 criterion for eligibility under sub. (2) (a).

9 (b) The department shall recover from a contractor under sub. (4) any  
10 overpayment resulting from the failure of the contractor to comply with the terms  
11 of the contract or to meet performance standards established by the department.

12 **(6) RULES NOT REQUIRED.** Notwithstanding s. 227.10 (1), the department need  
13 not promulgate regulations, standards, or policies related to implementing or  
14 administering the program under this section as rules under ch. 227.

15 **\*-0070/3.16\*SECTION 1041.** 49.165 (1) (d) (intro.) of the statutes is amended  
16 to read:

17 49.165 (1) (d) (intro.) "Organization" means a nonprofit corporation, or a public  
18 agency ~~or a federally recognized American Indian tribe or band~~ that provides or  
19 proposes to provide any of the following domestic abuse services:

20 **\*-0063/4.26\*SECTION 1042.** 49.173 of the statutes is repealed.

21 **\*-0850/6.7\*SECTION 1043.** 49.175 (1) (L) of the statutes is repealed.

22 **\*-0850/6.2\*SECTION 1044.** 49.175 (1) (a) of the statutes is amended to read:

23 49.175 (1) (a) *Wisconsin Works benefits.* For Wisconsin Works benefits,  
24 ~~\$74,650,100~~ \$72,131,500 in fiscal year ~~2011-12~~ 2013-14 and ~~\$72,131,500~~  
25 \$64,294,000 in fiscal year ~~2012-13~~ 2014-15.

## SECTION 1045

1           \*~~0850/6.3~~**SECTION 1045.** 49.175 (1) (b) of the statutes is amended to read:

2           49.175 (1) (b) *Wisconsin Works ~~administration~~ agency contracts; job access*  
3           ~~loans.~~ For ~~administration of Wisconsin Works performed under contracts with~~  
4           Wisconsin Works agencies under s. 49.143, ~~\$10,107,200~~ and for job access loans  
5           under s. 49.147 (6), ~~\$57,586,500~~ in fiscal year ~~2011–12~~ 2013–14 and ~~\$10,107,200~~  
6           \$58,336,500 in fiscal year ~~2012–13~~ 2014–15.

7           \*~~0850/6.4~~**SECTION 1046.** 49.175 (1) (f) of the statutes is repealed.

8           \*~~0850/6.5~~**SECTION 1047.** 49.175 (1) (g) of the statutes is amended to read:

9           49.175 (1) (g) *State administration of public assistance programs and*  
10           ~~overpayment collections.~~ For state administration of public assistance programs and  
11           the collection of public assistance overpayments, ~~\$12,918,900~~ \$12,775,600 in fiscal  
12           year 2013–14 and ~~\$12,891,200~~ in ~~each~~ fiscal year 2014–15.

13           \*~~0850/6.6~~**SECTION 1048.** 49.175 (1) (i) of the statutes is amended to read:

14           49.175 (1) (i) *Emergency assistance.* For emergency assistance under s. 49.138  
15           and for transfer to the department of administration for low-income energy or  
16           weatherization assistance programs, ~~\$6,200,000~~ in fiscal year ~~2011–12~~ and  
17           ~~\$6,000,000~~ \$7,500,000 in each fiscal year ~~2012–13~~.

18           \*~~0090/4.3~~**SECTION 1049.** 49.175 (1) (k) of the statutes is created to read:

19           49.175 (1) (k) *Transform Milwaukee Jobs program.* For contract costs under  
20           the Transform Milwaukee Jobs program under s. 49.163, ~~\$3,750,000~~ in fiscal year  
21           ~~2013–14~~ and ~~\$5,000,000~~ in fiscal year 2014–15.

22           \*~~0850/6.8~~**SECTION 1050.** 49.175 (1) (p) of the statutes is amended to read:

23           49.175 (1) (p) *Direct child care services.* For direct child care services under s.  
24           49.155, ~~\$301,631,000~~ \$272,976,700 in fiscal year ~~2011–12~~ 2013–14 and ~~\$298,523,500~~  
25           \$273,156,500 in fiscal year ~~2012–13~~ 2014–15.



1           \*~~0850/6.9~~\*SECTION 1051. 49.175 (1) (q) of the statutes is amended to read:

2           49.175 (1) (q) *Child care state administration and ~~child care~~ licensing*  
3 *activities.* For state administration of child care programs under s. 49.155 and ~~the~~  
4 ~~allocation under s. 49.155 (1g) (e) for child care licensing activities, \$19,702,100~~  
5 \$30,240,600 in fiscal year ~~2011-12~~ 2013-14 and ~~\$19,783,800~~ \$32,305,700 in fiscal  
6 year ~~2012-13~~ 2014-15.

7           \*~~0850/6.10~~\*SECTION 1052. 49.175 (1) (qm) of the statutes is amended to read:

8           49.175 (1) (qm) *Quality care for quality kids.* For the child care quality  
9 improvement activities specified in s. 49.155 (1g), ~~\$13,486,700 in fiscal year 2011-12~~  
10 ~~and \$13,169,400~~ \$13,095,800 in each fiscal year ~~2012-13~~.

11           \*~~0850/6.11~~\*SECTION 1053. 49.175 (1) (r) of the statutes is amended to read:

12           49.175 (1) (r) *Children of recipients of supplemental security income.* For  
13 payments made under s. 49.775 for the support of the dependent children of  
14 recipients of supplemental security income, ~~\$31,232,200~~ \$33,688,000 in each fiscal  
15 year.

16           \*~~0813/2.4~~\*SECTION 1054. 49.175 (1) (s) of the statutes is amended to read:

17           49.175 (1) (s) *Kinship care, and long-term kinship care, ~~and foster care~~*  
18 *assistance.* For kinship care and long-term kinship care payments under s. 48.57  
19 (3m) (am) and (3n) (am), for assessments to determine eligibility for those payments,  
20 and for agreements under s. 48.57 (3t) with the governing bodies of Indian tribes for  
21 the administration of the kinship care and long-term kinship care programs under  
22 s. 48.57 (3m), (3n), and (3p) and for foster care for relatives under s. 48.62 within the  
23 boundaries of the reservations of those tribes, \$21,375,800 in each fiscal year.

24           \*~~0850/6.12~~\*SECTION 1055. 49.175 (1) (s) of the statutes is amended to read:

1           49.175 (1) (s) *Kinship care, long-term kinship care, and foster care assistance.*

2           For the kinship care and long-term kinship care programs under s. 48.57 (3m), (3n),  
3           and (3p) and for foster care for relatives under s. 48.62, ~~\$21,375,800~~ \$20,582,700 in  
4           each fiscal year.

5           \*~~0850/6.13~~**SECTION 1056.** 49.175 (1) (t) of the statutes is amended to read:

6           49.175 (1) (t) *Safety and out-of-home placement services.* For services provided  
7           ~~in counties having a population of 500,000 or more~~ to ensure the safety of children  
8           who the department or a county determines may remain at home if appropriate  
9           services are provided, and for ~~ongoing~~ services provided ~~in those counties~~ to families  
10          with children placed in out-of-home care, ~~\$6,350,300~~ \$7,711,100 in each fiscal year.

11          \*~~0850/6.14~~**SECTION 1057.** 49.175 (1) (v) of the statutes is repealed.

12          \*~~0850/6.15~~**SECTION 1058.** 49.175 (1) (z) of the statutes is amended to read:

13          49.175 (1) (z) *Grants to the Boys and Girls Clubs of America.* For grants to the  
14          Wisconsin Chapter of the Boys and Girls Clubs of America to fund programs that  
15          improve social, academic, and employment skills of youth who are eligible to receive  
16          temporary assistance for needy families under 42 USC 601 et seq., ~~\$350,000~~ focusing  
17          on study habits, intensive tutoring in math and English, and exposure to career  
18          options and role models, \$1,500,000 in each fiscal year. Grants provided under this  
19          paragraph may not be used by the grant recipient to replace funding for programs  
20          that are being funded, when the grant proceeds are received, with moneys other than  
21          those from the appropriations specified in sub. (1) (intro.).

22          \*~~0850/6.16~~**SECTION 1059.** 49.175 (1) (zh) of the statutes is amended to read:

23          49.175 (1) (zh) *Earned income tax credit supplement.* For the transfer of  
24          moneys from the appropriation account under s. 20.437 (2) (md) to the appropriation

1 account under s. 20.835 (2) (kf) for the earned income tax credit, \$43,664,200  
2 \$70,664,200 in each fiscal year.

3 **\*-0063/4.27\*SECTION 1060.** 49.26 (1) (g) (intro.) of the statutes is amended to  
4 read:

5 49.26 (1) (g) (intro.) An individual who is a dependent child in a Wisconsin  
6 Works group that includes a participant under s. 49.147 (3), ~~(3m)~~, (4), or (5) or who  
7 is a recipient of aid under s. 49.19 is subject to the school attendance requirement  
8 under par. (ge) if all of the following apply:

9 **\*-0063/4.28\*SECTION 1061.** 49.26 (1) (h) 1s. b. of the statutes is amended to  
10 read:

11 49.26 (1) (h) 1s. b. An individual who is a dependent child in a Wisconsin Works  
12 group that includes a participant under s. 49.147 (3), ~~(3m)~~, (4), or (5) and who fails  
13 to meet the school attendance requirement under par. (ge) is subject to a monthly  
14 sanction.

15 **\*-0063/4.29\*SECTION 1062.** 49.36 (2) of the statutes is amended to read:

16 49.36 (2) The department may contract with any county, tribal governing body,  
17 or Wisconsin Works agency to administer a work experience and job training  
18 program for parents who are not custodial parents and who fail to pay child support  
19 or to meet their children's needs for support as a result of unemployment or  
20 underemployment. The program may provide the kinds of work experience and job  
21 training services available from the program under s. 49.193, 1997 stats., or s. 49.147  
22 (3), ~~(3m)~~, or (4). The program may also include job search and job orientation  
23 activities. The department shall fund the program from the appropriations under  
24 s. 20.437 (2) (dz) and (k).

1           \*~~0749/2.1~~**SECTION 1063.** 49.45 (4m) (a) 3. of the statutes is renumbered 49.45  
2           (4m) (a) 3. (intro.) and amended to read:

3           49.45 (**4m**) (a) 3. (intro.) “Financial institution” ~~has the meaning given in 12~~  
4           ~~USC 3401 (1).~~ means any of the following:

5           \*~~0749/2.2~~**SECTION 1064.** 49.45 (4m) (a) 3. a. to f. of the statutes are created  
6           to read:

7           49.45 (**4m**) (a) 3. a. A depository institution, as defined in 12 USC 1813 (c).

8           b. An institution–affiliated party, as defined in 12 USC 1813 (u), of a depository  
9           institution under subd. 3. a.

10          c. A federal credit union, as defined in 12 USC 1752, or state credit union, as  
11          defined in 12 USC 1752.

12          d. An institution–affiliated party, as defined in 12 USC 1786 (r), of a credit  
13          union under subd. 3. c.

14          e. A benefit association, insurance company, safe deposit company, money  
15          market mutual fund, or similar entity authorized to do business in this state.

16          f. A broker–dealer, as defined in s. 551.102 (4).

17          \*~~1485/P2.6~~**SECTION 1065.** 49.45 (23) (a) of the statutes is amended to read:

18          49.45 (**23**) (a) The department shall request a waiver from the secretary of the  
19          federal department of health and human services to permit the department to  
20          conduct a demonstration project to provide health care coverage for basic primary  
21          and preventive care to adults who are under the age of 65, who have family incomes  
22          not to exceed 200 100 percent of the poverty line before application of the 5 percent  
23          income disregard under 42 CFR 435.603 (d), and who are not otherwise eligible for  
24          medical assistance under this subchapter, the Badger Care health care program  
25          under s. 49.665, or Medicare under 42 USC 1395 et seq. If the department creates

1 a policy under sub. (2m) (c) 10., this paragraph does not apply to the extent that it  
2 conflicts with the policy.

3 **\*-1485/P2.7\*SECTION 1066.** 49.45 (23) (a) of the statutes, as affected by 2011  
4 Wisconsin Act 32 and 2013 Wisconsin Act .... (this act), is repealed and recreated to  
5 read:

6 49.45 (23) (a) The department shall request a waiver from the secretary of the  
7 federal department of health and human services to permit the department to  
8 conduct a demonstration project to provide health care coverage for basic primary  
9 and preventive care to adults who are under the age of 65, who have family incomes  
10 not to exceed 100 percent of the poverty line before application of the 5 percent  
11 income disregard under 42 CFR 435.603 (d), and who are not otherwise eligible for  
12 medical assistance under this subchapter, the Badger Care health care program  
13 under s. 49.665, or Medicare under 42 USC 1395 et seq.

14 **\*-1485/P2.8\*SECTION 1067.** 49.45 (23) (b) of the statutes is amended to read:

15 49.45 (23) (b) If the waiver is granted and in effect, the department may  
16 promulgate rules defining the health care benefit plan, including more specific  
17 eligibility requirements and cost-sharing requirements. Unless otherwise provided  
18 by the department by a policy created under sub. (2m) (c), cost sharing may include  
19 an annual enrollment fee, which may not exceed \$75 per year. Notwithstanding s.  
20 227.24 (3), the plan details under this subsection may be promulgated as an  
21 emergency rule under s. 227.24 without a finding of emergency. If the waiver is  
22 granted and in effect, the demonstration project under this subsection shall begin on  
23 ~~January 1, 2009, or~~ on the effective date of the waiver, ~~whichever is later.~~

1           **\*-1485/P2.9\*SECTION 1068.** 49.45 (23) (b) of the statutes, as affected by 2011  
2       Wisconsin Act 32 and 2013 Wisconsin Act .... (this act), is repealed and recreated to  
3       read:

4           49.45 (23) (b) If the waiver is granted and in effect, the department may  
5       promulgate rules defining the health care benefit plan, including more specific  
6       eligibility requirements and cost-sharing requirements. Cost sharing may include  
7       an annual enrollment fee, which may not exceed \$75 per year. Notwithstanding s.  
8       227.24 (3), the plan details under this subsection may be promulgated as an  
9       emergency rule under s. 227.24 without a finding of emergency. If the waiver is  
10      granted and in effect, the demonstration project under this subsection shall begin on  
11      the effective date of the waiver.

12          **\*-1485/P2.10\*SECTION 1069.** 49.45 (23) (c) of the statutes is created to read:

13          49.45 (23) (c) In addition to cost-sharing requirements established under par.  
14       (b), a childless adult who is eligible to receive benefits under this section; who is not  
15       disabled, pregnant, or American Indian, as Indian is defined in 42 CFR part 447,  
16       subpart A; and whose family income exceeds 133 percent of the poverty line shall pay  
17       a premium for coverage under the program under this subsection in an amount  
18       determined by the department that is based on a formula in which costs decrease for  
19       those with lower family incomes and that is no less than 3 percent of family income  
20       but no greater than 9.5 percent of family income.

21          **\*-1485/P2.11\*SECTION 1070.** 49.45 (23) (d) of the statutes is created to read:

22          49.45 (23) (d) In determining income for purposes of eligibility under this  
23       subsection, the department shall apply s. 49.471 (7) (d) to the individual to the extent  
24       the federal department of health and human services approves, if approval is  
25       required.

1           \***-1485/P2.12\*SECTION 1071.** 49.45 (23) (e) of the statutes is created to read:

2           49.45 (23) (e) The department shall apply the definition of family income under  
3           s. 49.471 (1) (f) and the regulations defining household under 42 CFR 435.603 (f) to  
4           determinations of income for purposes of eligibility under this subsection.

5           \***-1485/P2.13\*SECTION 1072.** 49.45 (23) (f) of the statutes is created to read:

6           49.45 (23) (f) The department may provide services to individuals who are  
7           eligible under this subsection through a medical home initiative under sub. (24j).

8           \***-1485/P2.14\*SECTION 1073.** 49.45 (24j) of the statutes is created to read:

9           49.45 (24j) **MEDICAL HOME PILOT PROJECTS.** (a) The department may administer  
10          the medical home initiative as a service delivery mechanism to provide and  
11          coordinate care for individuals who are eligible for a Medical Assistance program  
12          under this subchapter that provides services under a fee-for-service model. The  
13          department may administer a medical home initiative to serve individuals who are  
14          members of any of the following populations:

15           1. Children who are in out-of-home care or are receiving adoption assistance  
16          under 42 USC 670 – 679c.

17           2. Pregnant women.

18           3. Individuals who are exiting mental health facilities or correctional facilities.

19           4. Individuals with a diagnosis of serious mental illness or substance abuse  
20          disorder.

21           5. Adults with two or more chronic medical conditions.

22           6. Other groups of individuals with conditions that the department determines  
23          would benefit from services through a medical home.

24          (b) The department shall provide to individuals through any medical home  
25          initiative administered under this subsection the benefits described under s. 49.46

**SECTION 1073**

1 (2) (a) and (b). The department may provide to individuals through any medical home  
2 initiative administered under this subsection benefits in addition to the standard  
3 plan benefits that are targeted to the population receiving services through the  
4 medical home.

5 (c) The department may elect to administer any medical home initiative under  
6 this subsection in a limited geographical area.

7 (d) The department may make an all-inclusive payment to the provider  
8 offering services through a medical home.

9 (e) If the federal department of health and human services approves the  
10 department's request to administer a medical home initiative, the department shall  
11 automatically enroll an individual who is eligible for a medical home initiative under  
12 this subsection in the medical home initiative. At any time after the first 6 months  
13 of enrollment in the medical home initiative, the individual who is enrolled in the  
14 medical home initiative may opt out of participation in the medical home initiative.

15 **\*-1218/P1.1\*SECTION 1074.** 49.45 (30e) (c) of the statutes is renumbered 49.45  
16 (30e) (c) 1.

17 **\*-1218/P1.2\*SECTION 1075.** 49.45 (30e) (c) 2. of the statutes is created to read:  
18 49.45 (30e) (c) 2. Notwithstanding subd. 1., in counties that elect to deliver the  
19 services under s. 49.46 (2) (b) 6. Lm. through the Medical Assistance program on a  
20 regional basis according to criteria established by the department, the department  
21 shall reimburse a provider of the services for the amount of the allowable charges for  
22 those services under the Medical Assistance program that is provided by the federal  
23 government and for the amount of the allowable charges that is not provided by the  
24 federal government.



1           **\*-1485/P2.15\*SECTION 1076.** 49.45 (30g) (a) 1. of the statutes is amended to  
2 read:

3           49.45 (30g) (a) 1. An approved amendment to the state medical assistance plan  
4 ~~submitted under 42 USC 1396n (i)~~ permits reimbursement for the services under s.  
5 49.46 (2) (b) 6. Lo. in the manner provided under this subsection.

6           **\*-1485/P2.16\*SECTION 1077.** 49.45 (30g) (a) 3. of the statutes is amended to  
7 read:

8           49.45 (30g) (a) 3. The individual, the community recovery services, and the  
9 community recovery services provider meet any condition set forth in the approved  
10 amendment to the medical assistance plan ~~submitted under 42 USC 1396n (i)~~.

11           **\*-0749/2.3\*SECTION 1078.** 49.453 (2) (a) (intro.) of the statutes is amended to  
12 read:

13           49.453 (2) (a) *Institutionalized individuals.* (intro.) Except as provided in sub.  
14 (8), if an institutionalized individual or his or her spouse, or another person acting  
15 on behalf of the institutionalized individual or his or her spouse, transfers assets;  
16 regardless of whether those assets, if retained, are excluded under 42 USC 1396p;  
17 for less than fair market value on or after the institutionalized individual's look-back  
18 date, the institutionalized individual is ineligible for medical assistance for the  
19 following services for the period specified under sub. (3):

20           **\*-0749/2.4\*SECTION 1079.** 49.453 (2) (b) (intro.) of the statutes is amended to  
21 read:

22           49.453 (2) (b) *Noninstitutionalized individuals.* (intro.) Except as provided in  
23 sub. (8), if a noninstitutionalized individual or his or her spouse, or another person  
24 acting on behalf of the noninstitutionalized individual or his or her spouse, transfers  
25 assets; regardless of whether those assets, if retained, are excluded under 42 USC

1 1396p; for less than fair market value on or after the noninstitutionalized  
2 individual's look-back date, the noninstitutionalized individual is ineligible for  
3 medical assistance for the following services for the period specified under sub. (3):

4 **\*-0749/2.5\*SECTION 1080.** 49.453 (3) (a) (intro.) of the statutes is amended to  
5 read:

6 49.453 (3) (a) (intro.) The period of ineligibility under this subsection begins  
7 on either of the following for an applicant for Medical Assistance:

8 **\*-0749/2.6\*SECTION 1081.** 49.453 (3) (ag) of the statutes is created to read:

9 49.453 (3) (ag) The period of ineligibility under this subsection for a transfer  
10 of assets made at the time the individual is receiving long-term care services through  
11 Medical Assistance begins on the first day of the month following the month in which  
12 the individual receives advance notice of the period of ineligibility.

13 **\*-0749/2.7\*SECTION 1082.** 49.453 (4c) (c) of the statutes is created to read:

14 49.453 (4c) (c) A promissory note in which the debtor is a presumptive heir of  
15 the lender or in which neither the lender nor debtor has any incentive to enforce  
16 repayment is considered cancelled upon the death of the lender for purposes of this  
17 section.

18 **\*-0749/2.8\*SECTION 1083.** 49.453 (8) (a) 1. of the statutes is amended to read:

19 49.453 (8) (a) 1. The assets are exempt under 42 USC 1396p (c) (2) (A), (B), or  
20 (C). To make a satisfactory showing to the state under 42 USC 1396p (c) (2) (C) and  
21 adjust the ineligibility period under sub. (3), the individual shall demonstrate that  
22 all of the assets transferred for less than fair market value, or cash equal to the value  
23 of the assets transferred for less than fair market, have been returned to him or her.

24 **\*-0749/2.9\*SECTION 1084.** 49.455 (5) (title) of the statutes is amended to read:

25 49.455 (5) (title) RULES FOR TREATMENT OF RESOURCES; INELIGIBILITY.

1           \***-0749/2.10**\***SECTION 1085.** 49.455 (5) (d) of the statutes is amended to read:

2           49.455 (5) (d) During a continuous period of institutionalization, after an  
3           institutionalized spouse is determined to be eligible for medical assistance, no  
4           resources of the community spouse are considered to be available to the  
5           institutionalized spouse, except that a transfer of those resources or other assets by  
6           the community spouse within the first 5 years of eligibility of the institutionalized  
7           spouse may result in a period of ineligibility under s. 49.453 (2) and (3) for the  
8           institutionalized spouse.

9           \***-0749/2.11**\***SECTION 1086.** 49.455 (5) (e) of the statutes is created to read:

10          49.455 (5) (e) The department may deny to the institutionalized spouse  
11          eligibility for Medical Assistance if, when requested by the department, the  
12          institutionalized spouse and the community spouse do not provide the total value of  
13          their assets and information on income and resources to the extent required under  
14          federal Medicaid law or sign the application for Medical Assistance.

15          \***-0749/2.12**\***SECTION 1087.** 49.455 (8) (d) of the statutes is renumbered 49.455  
16          (8) (d) 1. and amended to read:

17          49.455 (8) (d) 1. If either spouse establishes at a fair hearing that the  
18          community spouse resource allowance determined under sub. (6) (b) 1. to 2. or 4.  
19          without a fair hearing does not generate enough income to raise the community  
20          spouse's income to the minimum monthly maintenance needs allowance under sub.  
21          (4) (c), the department shall establish, under subd. 2., an amount to be used under  
22          sub. (6) (b) 3. that results in a community spouse resource allowance that generates  
23          enough income to raise the community spouse's income to the minimum monthly  
24          maintenance needs allowance under sub. (4) (c).

1           3. Except in exceptional cases which would result in financial duress for the  
2 community spouse, the department may not establish an amount to be used under  
3 sub. (6) (b) 3. unless the institutionalized spouse makes available to the community  
4 spouse the maximum monthly income allowance permitted under sub. (4) (b) or, if  
5 the institutionalized spouse does not have sufficient income to make available to the  
6 community spouse the maximum monthly income allowance permitted under sub.  
7 (4) (b), unless the institutionalized spouse makes all of his or her income, except for  
8 an amount equal to the sum of the personal needs allowance under sub. (4) (a) 1. and  
9 any family allowances under sub. (4) (a) 3. paid by the institutionalized spouse and  
10 the amount incurred as expenses for medical or remedial care for the  
11 institutionalized spouse under sub. (4) (a) 4., available to the community spouse as  
12 a community spouse monthly income allowance under sub. (4) (b).

13           \*~~0749/2.13~~\*SECTION 1088. 49.455 (8) (d) 2. of the statutes is created to read:

14           49.455 (8) (d) 2. The department shall base the amount to be used under sub.  
15 (6) (b) 3. on the cost of a single premium lifetime annuity that pays monthly amounts  
16 that, combined with other available income, raises the community spouse's income  
17 to the minimum monthly maintenance needs allowance. Any resource, regardless  
18 of whether the resource generates income, may be transferred in an amount that,  
19 combined with the community spouse resource allowance calculated before the fair  
20 hearing, provides the community spouse with sufficient funds to purchase the  
21 annuity. The community spouse is not required to purchase an annuity to obtain this  
22 amount.

23           \*~~1485/P2.17~~\*SECTION 1089. 49.46 (1) (a) 15. of the statutes is amended to  
24 read:

1           49.46 (1) (a) 15. Any individual who is infected with tuberculosis and meets the  
2           income and resource eligibility requirements for the federal Supplemental Security  
3           Income program under 42 USC 1381 to 1383d. For purposes of this subdivision,  
4           “income” has the meaning given for “family income” in s. 49.471 (1) (f).

5           \*–1485/P2.18\*SECTION 1090. 49.46 (1) (am) 1. a. of the statutes is amended to  
6           read:

7           49.46 (1) (am) 1. a. A pregnant woman whose family income, before any income  
8           is disregarded under this paragraph, does not exceed, in state fiscal year 1994–95,  
9           155% of the poverty line for a family the size of the woman’s family; and, in each state  
10          fiscal year after the 1994–95 state fiscal year, ~~185%~~ 133 percent of the poverty line  
11          for a family the size of the woman’s family.

12          \*–1485/P2.19\*SECTION 1091. 49.46 (1) (c) (intro.) of the statutes is amended  
13          to read:

14          49.46 (1) (c) (intro.) Except as provided under par. (co) or (cr), a family that  
15          becomes ineligible for aid to families with dependent children under s. 49.19 because  
16          of increased income from employment or increased hours of employment or because  
17          of the expiration of the time during which the disregards under s. 49.19 (5) (a) 4. or  
18          4m. or (am) apply shall receive medical assistance for:

19          \*–1485/P2.20\*SECTION 1092. 49.46 (1) (cg) of the statutes is amended to read:

20          49.46 (1) (cg) ~~Medical~~ Except as provided under par. (cr), medical assistance  
21          shall be provided to a dependent child, a relative with whom the child is living or the  
22          spouse of the relative, if the spouse meets the requirements of s. 49.19 (1) (c) 2. a. or  
23          b., for 4 calendar months beginning with the month in which the child, relative or  
24          spouse is ineligible for aid to families with dependent children because of the  
25          collection or increased collection of maintenance or support, if the child, relative or

1 spouse received aid to families with dependent children in 3 or more of the 6 months  
2 immediately preceding the month in which that ineligibility begins.

3 **\*-1485/P2.21\*SECTION 1093.** 49.46 (1) (co) 1. of the statutes is amended to  
4 read:

5 49.46 (1) (co) 1. Except as provided under subd. 2. or par. (cr), medical  
6 assistance shall be provided to a family for 12 consecutive calendar months following  
7 the month in which the family becomes ineligible for aid to families with dependent  
8 children because of increased income from employment, ~~because the family no longer~~  
9 ~~receives the earned income disregard under s. 49.19 (5) (a) 4. or 4m. or (am) due to~~  
10 ~~the expiration of the time limit during which the disregards are applied or because~~  
11 ~~of the application of the monthly employment time eligibility limitation under 45~~  
12 ~~CFR 233.100 (a) (1) (i).~~

13 **\*-1485/P2.22\*SECTION 1094.** 49.46 (1) (co) 2. of the statutes is amended to  
14 read:

15 49.46 (1) (co) 2. If a waiver under subd. 3. is granted and except as provided  
16 in par. (cr), the department may select individuals to receive medical assistance  
17 benefits as provided under par. (c), rather than under subd. 1., as a control group for  
18 part or all of the period during which the waiver is in effect.

19 **\*-1485/P2.23\*SECTION 1095.** 49.46 (1) (cr) of the statutes is created to read:

20 49.46 (1) (cr) To the extent approved by the federal department of health and  
21 human services, an individual or family described in par. (c), (cg), or (co) is not eligible  
22 for Medical Assistance if the federal department of health and human services  
23 approves a request from the department to deny all or some transitional Medical  
24 Assistance benefits to that individual or family, if approval is required.

25 **\*-1096/3.2\*SECTION 1096.** 49.46 (1) (em) of the statutes is created to read:

1           49.46 (1) (em) For purposes of determining the eligibility and any cost-sharing  
2 requirements of an individual under par. (a) 6m., 14., or 14m., (d) 2., or (e), to the  
3 extent approved by the federal government, the department shall exclude any assets  
4 accumulated in an independence account, as defined in s. 49.472 (1) (c), and any  
5 income or assets from retirement benefits earned or accumulated from employment  
6 income or employer contributions while the individual was employed and eligible for  
7 and receiving medical assistance under s. 49.472.

8           \***-1485/P2.24**\***SECTION 1097.** 49.46 (2) (b) 19. of the statutes is created to read:

9           49.46 (2) (b) 19. Subject to par. (br), services provided by early intervention  
10 teachers, home trainers, parent-to-parent mentors, and developmental specialists  
11 to children in the benchmark plan under par. (br).

12           \***-1485/P2.25**\***SECTION 1098.** 49.46 (2) (b) 20. of the statutes is created to read:

13           49.46 (2) (b) 20. Subject to s. 49.45 (24j), any additional services, as determined  
14 by the department, that are targeted to a population enrolled in a medical home  
15 initiative under s. 49.45 (24j).

16           \***-1485/P2.26**\***SECTION 1099.** 49.46 (2) (bc) of the statutes is created to read:

17           49.46 (2) (bc) Subject to s. 49.45 (24j), the department may provide any of the  
18 services described in par. (a) or (b) through a medical home initiative under s. 49.45  
19 (24j).

20           \***-1485/P2.27**\***SECTION 1100.** 49.46 (2) (br) of the statutes is created to read:

21           49.46 (2) (br) If the federal department of health and human services approves  
22 the department's request to offer a benchmark plan under this paragraph, the  
23 department may enroll any child who is receiving services through the early  
24 intervention program under s. 51.44 in a benchmark plan under this paragraph. The  
25 department may not require a child who is receiving services through the early

1 intervention program under s. 51.44 to enroll in a benchmark plan offered under this  
2 paragraph. The department may not charge a copayment to a child who is enrolled  
3 in the benchmark plan under this paragraph for services described in par. (b) 19.

4 **\*-1096/3.3\*SECTION 1101.** 49.468 (1) (d) of the statutes is amended to read:

5 49.468 (1) (d) Benefits under par. (b) or (c) are available for an individual who  
6 has resources that are equal to or less than 200% of the allowable resources as  
7 determined under 42 USC 1381 to 1385, excluding, to the extent approved by the  
8 federal government, any assets accumulated in an independence account, as defined  
9 in s. 49.472 (1) (c), and any income or assets from retirement benefits earned or  
10 accumulated from income or employer contributions while the individual was  
11 employed and eligible for and receiving medical assistance under s. 49.472, and who  
12 has income that is equal to or less than 100% of the poverty line.

13 **\*-1096/3.4\*SECTION 1102.** 49.468 (1m) (b) of the statutes is amended to read:

14 49.468 (1m) (b) Benefits under par. (a) are available for an individual who has  
15 resources that are equal to or less than 200% of the allowable resources determined  
16 under 42 USC 1381 to 1385, excluding, to the extent approved by the federal  
17 government, any assets accumulated in an independence account, as defined in s.  
18 49.472 (1) (c), and any income or assets from retirement benefits earned or  
19 accumulated from income or employer contributions while the individual was  
20 employed and eligible for and receiving medical assistance under s. 49.472, and who  
21 has income that is greater than 100% of the poverty line but less than 120% of the  
22 poverty line.

23 **\*-1096/3.5\*SECTION 1103.** 49.468 (2) (b) of the statutes is amended to read:

24 49.468 (2) (b) Benefits under par. (a) are available for an individual who has  
25 resources that are equal to or less than 200% of the allowable resources under 42



1     ~~USC 1381 to 1385, excluding, to the extent approved by the federal government, any~~  
2     ~~assets accumulated in an independence account, as defined in s. 49.472 (1) (c), and~~  
3     ~~any income or assets from retirement benefits earned or accumulated from income~~  
4     ~~or employer contributions while the individual was employed and eligible for and~~  
5     ~~receiving medical assistance under s. 49.472, and who has income that is equal to or~~  
6     less than 200% of the poverty line.

7             **\*-1485/P2.28\*SECTION 1104.** 49.47 (4) (a) 1. of the statutes is amended to read:

8             49.47 (4) (a) 1. Under 21 years of age and resides in an intermediate care  
9     facility, skilled nursing facility, or inpatient psychiatric hospital. The department  
10    shall apply the definition of family income in s. 49.471 (1) (f) to make determinations  
11    of income under this subdivision.

12            **\*-1485/P2.29\*SECTION 1105.** 49.47 (4) (am) 1. of the statutes is amended to  
13    read:

14            49.47 (4) (am) 1. A pregnant woman whose family income does not exceed 155%  
15    of the poverty line for a family the size of the woman's family, except that if a waiver  
16    under par. (j) or a change in the approved state plan under s. 49.46 (1) (am) 2. is in  
17    effect, the income limit is ~~185%~~ 133 percent of the poverty line for a family the size  
18    of the woman's family in each state fiscal year after the 1994–95 state fiscal year.

19            **\*-1096/3.6\*SECTION 1106.** 49.47 (4) (b) (intro.) of the statutes is amended to  
20    read:

21            49.47 (4) (b) (intro.) Eligibility exists if the applicant's property, ~~subject to the~~  
22    ~~exclusion of excluding~~ any amounts under the Long-Term Care Partnership  
23    Program established under s. 49.45 (31), and, to the extent approved by the federal  
24    government, any amounts assets accumulated in an independence account, as  
25    defined in s. 49.472 (1) (c), ~~or and any income or assets from retirement assets that~~

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1 ~~accrued benefits earned or accumulated from employment income or employer~~  
2 ~~contributions while the applicant was employed and eligible for the community~~  
3 ~~options program under s. 46.27 (11), or any other Medical Assistance program,~~  
4 ~~including deferred compensation or the value of retirement accounts in the~~  
5 ~~Wisconsin Retirement System or under the federal Social Security Act and receiving~~  
6 ~~medical assistance under s. 49.472, does not exceed the following:~~

7 **\*-0749/2.14\*SECTION 1107.** 49.47 (4) (b) 2w. of the statutes is amended to read:

8 49.47 (4) (b) 2w. For a person who is eligible under par. (a) 3. or 4., life insurance  
9 with cash surrender values if the total face combined cash surrender value of all life  
10 insurance policies, including riders and other attachments, is not more than \$1,500.

11 **\*-1485/P2.30\*SECTION 1108.** 49.47 (4) (c) 1. of the statutes is amended to read:

12 49.47 (4) (c) 1. Except as provided in par. (am) ~~and as limited by subd. 3.,~~  
13 eligibility exists if income does not exceed 133 1/3% of the maximum aid to families  
14 with dependent children payment under s. 49.19 (11) for the applicant's family size  
15 or the combined benefit amount available under supplemental security income  
16 under 42 USC 1381 to 1383c and state supplemental aid under s. 49.77 whichever  
17 is ~~higher~~ lower. In this subdivision "income" includes earned or unearned income  
18 that would be included in determining eligibility for the individual or family under  
19 s. 49.19 or 49.77, or for the aged, blind or disabled under 42 USC 1381 to 1385.  
20 "Income" does not include earned or unearned income which would be excluded in  
21 determining eligibility for the individual or family under s. 49.19 or 49.77, or for the  
22 aged, blind or disabled individual under 42 USC 1381 to 1385.

23 **\*-1485/P2.31\*SECTION 1109.** 49.47 (4) (c) 3. of the statutes is repealed.

24 **\*-1485/P2.32\*SECTION 1110.** 49.471 (1) (cm) of the statutes is created to read:

1           49.471 (1) (cm) “Disabled” means, when referring to an adult, meeting the  
2           disability standard for eligibility for federal supplemental security income under 42  
3           USC 1382c (a) (3).

4           \*~~1485/P2.33~~**SECTION 1111.** 49.471 (1) (f) of the statutes is amended to read:  
5           49.471 (1) (f) “Family income” ~~means the total gross earned and unearned~~  
6           ~~income received by all members of a family~~ has the meaning given for “household  
7           income” under 42 CFR 435.603 (d).

8           \*~~1485/P2.34~~**SECTION 1112.** 49.471 (1) (k) 5. d. of the statutes is created to  
9           read:

10          49.471 (1) (k) 5. d. The mother’s family income exceeds 133 percent of the  
11          poverty line.

12          \*~~1485/P2.35~~**SECTION 1113.** 49.471 (4) (a) (intro.) of the statutes is amended  
13          to read:

14          49.471 (4) (a) (intro.) Except as otherwise provided in this section, all of the  
15          following individuals are eligible for the benefits described in s. 49.46 (2) (a) and (b),  
16          subject to sub. (6) (k) and s. 49.45 (24j):

17          \*~~1485/P2.36~~**SECTION 1114.** 49.471 (4) (a) 1. of the statutes is amended to  
18          read:

19          49.471 (4) (a) 1. A pregnant woman whose family income does not exceed ~~200~~  
20          133 percent of the poverty line.

21          \*~~1485/P2.37~~**SECTION 1115.** 49.471 (4) (a) 4. a. of the statutes is amended to  
22          read:

23          49.471 (4) (a) 4. a. The individual is a parent or caretaker relative of a  
24          dependent child who is living in the home with the parent or caretaker relative or  
25          who is temporarily absent from the home for not more than 6 months or, if the

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1 dependent child has been removed from the home for more than 6 months, the parent  
2 or caretaker relative is working toward unifying the family by complying with a  
3 permanency plan under s. 48.38 or 938.38. For purposes of this subdivision, a  
4 “dependent child” means an individual who is under the age of 18 or an individual  
5 who is age 18 and a full-time student in secondary school or equivalent vocational  
6 or technical training if before attaining the age of 19 the individual is reasonably  
7 expected to complete the school or training.

8       \*–1485/P2.38\*SECTION 1116. 49.471 (4) (a) 4. b. of the statutes is amended to  
9 read:

10       49.471 (4) (a) 4. b. ~~Except as provided in subd. 4. c., the~~ The individual’s family  
11 income does not exceed ~~200~~ 100 percent of the poverty line ~~and does not include~~  
12 ~~self-employment income before application of the 5 percent income disregard under~~  
13 42 CFR 435.603 (d).

14       \*–1485/P2.39\*SECTION 1117. 49.471 (4) (a) 4. c. of the statutes is repealed.

15       \*–1485/P2.40\*SECTION 1118. 49.471 (4) (a) 5. of the statutes is amended to  
16 read:

17       49.471 (4) (a) 5. An individual who, regardless of family income, was born on  
18 or after January 1, ~~1990~~ 1988, and who, on his or her 18th birthday, was in a foster  
19 care placement under the responsibility of ~~–a–~~ this state, or at the option of the  
20 department, under the responsibility of another state, and enrolled in Medical  
21 Assistance under this subchapter or a Medicaid program, as determined by the  
22 department. The coverage for an individual under this subdivision ends on the last  
23 day of the month in which the individual becomes ~~21~~ 26 years of age, unless he or she  
24 otherwise loses eligibility sooner.

1           **\*-1485/P2.41\*SECTION 1119.** 49.471 (4) (a) 7. of the statutes is amended to  
2 read:

3           49.471 (4) (a) 7. Individuals who qualify for a medical assistance eligibility  
4 extension under s. 49.46 (1) (c), (cg), or (co) when their income increases above the  
5 poverty line, except as provided in s. 49.46 (1) (cr).

6           **\*-1485/P2.42\*SECTION 1120.** 49.471 (4) (b) 1. of the statutes is repealed.

7           **\*-1485/P2.43\*SECTION 1121.** 49.471 (4) (b) 1m. of the statutes is repealed.

8           **\*-1485/P2.44\*SECTION 1122.** 49.471 (4) (b) 2. of the statutes is repealed.

9           **\*-1485/P2.45\*SECTION 1123.** 49.471 (4) (b) 3. of the statutes is amended to  
10 read:

11           49.471 (4) (b) 3. A child whose family income exceeds 200 percent but does not  
12 exceed 300 percent of the poverty line. ~~For a child under this subdivision who is an~~  
13 3m. An unborn child, whose family income exceeds 200 percent but does not  
14 exceed 300 percent of the poverty line, except benefits are limited to prenatal care.

15           **\*-1485/P2.46\*SECTION 1124.** 49.471 (4) (b) 4. of the statutes is repealed.

16           **\*-1485/P2.47\*SECTION 1125.** 49.471 (4) (c) of the statutes is repealed.

17           **\*-1485/P2.48\*SECTION 1126.** 49.471 (4) (e) of the statutes is created to read:

18           49.471 (4) (e) If the department obtains approval from the federal department  
19 of health and human services to provide an alternate benchmark plan under sub.  
20 (11r), to the extent the federal department of health and human services approves,  
21 the department may enroll in the alternate benchmark plan under sub. (11r) any  
22 individual whose family income exceeds 100 percent of the poverty line, who is either  
23 an adult who is not pregnant or a child, and who applies and is otherwise eligible to  
24 receive benefits under this section, except that the department shall enroll a child

1 who has a parent who is enrolled in a plan under this section in the same plan as his  
2 or her parent.

3 **\*-1485/P2.49\*SECTION 1127.** 49.471 (5) (b) 1. of the statutes is amended to  
4 read:

5 49.471 (5) (b) 1. Except as provided in sub. (6) (a) 1., a pregnant woman is  
6 eligible for the benefits specified in par. (c) during the period beginning on the day  
7 on which a qualified provider determines, on the basis of preliminary information,  
8 that the woman's family income does not exceed ~~300~~ 133 percent of the poverty line  
9 and ending on the applicable day specified in subd. 3.

10 **\*-1485/P2.50\*SECTION 1128.** 49.471 (5) (b) 2. of the statutes is renumbered  
11 49.471 (5) (b) 2. (intro.) and amended to read:

12 49.471 (5) (b) 2. (intro.) Except as provided in sub. (6) (a) 2., a child who is not  
13 an unborn child is eligible for the benefits described in s. 49.46 (2) (a) and (b) during  
14 the period beginning on the day on which a qualified entity determines, on the basis  
15 of preliminary information, that the child's family income does not exceed ~~150~~  
16 ~~percent of the poverty line~~ any of the following and ending on the applicable day  
17 specified in subd. 3., unless the federal department of health and human services  
18 approves the department's request to not extend eligibility to children during this  
19 period:

20 **\*-1485/P2.51\*SECTION 1129.** 49.471 (5) (b) 2. a. to c. of the statutes are created  
21 to read:

22 49.471 (5) (b) 2. a. 150 percent of the poverty line for a child who is 6 years of  
23 age or older but has not yet attained the age of 19.

24 b. 185 percent of the poverty line for a child who is one year of age or older but  
25 has not yet attained the age of 6.

1 c. 300 percent of the poverty line for a child who is under one year of age.

2 **\*-1485/P2.52\*SECTION 1130.** 49.471 (5) (b) 3. a. of the statutes is amended to  
3 read:

4 49.471 (5) (b) 3. a. If the woman or child applies for benefits under sub. (4)  
5 within the time required under par. (d), the benefits specified in subd. 1. or 2.,  
6 whichever is applicable, end on the day on which the department or the county  
7 department under s. 46.215, 46.22, or 46.23 determines whether the woman or child  
8 is eligible for benefits under sub. (4), except that a child who is not an unborn child  
9 is not eligible for benefits described in s. 49.46 (2) (a) and (b) during that time if the  
10 federal department of health and human services approves the department's request  
11 not to provide those benefits during that time.

12 **\*-1485/P2.53\*SECTION 1131.** 49.471 (5) (c) 1. of the statutes is renumbered  
13 49.471 (5) (c) and amended to read:

14 49.471 (5) (c) On behalf of a woman under par. (b) 1. ~~whose family income does~~  
15 ~~not exceed 200 percent of the poverty line~~, the department shall audit and pay  
16 allowable charges to a provider certified under s. 49.45 (2) (a) 11. only for ambulatory  
17 prenatal care services under the benefits described in s. 49.46 (2) (a) and (b).

18 **\*-1485/P2.54\*SECTION 1132.** 49.471 (5) (c) 2. of the statutes is repealed.

19 **\*-1485/P2.55\*SECTION 1133.** 49.471 (6) (a) 1. of the statutes is amended to  
20 read:

21 49.471 (6) (a) 1. ~~Any~~ Except as provided in subd. 4., any pregnant woman,  
22 including a pregnant woman under sub. (5) (b) 1., is eligible for medical assistance  
23 under this section for any of the 3 months prior to the month of application if she met  
24 the eligibility criteria under this section in that month.

1           **\*-1485/P2.56\*SECTION 1134.** 49.471 (6) (a) 2. of the statutes is amended to  
2 read:

3           49.471 (6) (a) 2. Any Except as provided in subd. 3. or 4., any child who is not  
4 an unborn child, including a child under sub. (5) (b) 2., parent, or caretaker relative  
5 whose family income is less than 150 percent of the poverty line is eligible for medical  
6 assistance under this section for any of the 3 months prior to the month of application  
7 if the individual met the eligibility criteria under this section and had a family  
8 income of less than 150 percent of the poverty line in that month.

9           **\*-1485/P2.57\*SECTION 1135.** 49.471 (6) (a) 3. of the statutes is created to read:  
10          49.471 (6) (a) 3. Any individual described in subd. 2. who is not disabled, not  
11 elderly, and not pregnant, who is an adult, and whose family income exceeds 133  
12 percent of the federal poverty level is not eligible for medical assistance under this  
13 section for any of the 3 months before the month of application for medical assistance  
14 benefits.

15          **\*-1485/P2.58\*SECTION 1136.** 49.471 (6) (a) 4. of the statutes is created to read:  
16          49.471 (6) (a) 4. To the extent allowed by the federal department of health and  
17 human services, any individual described in subd. 1. or 2. who is not disabled is not  
18 eligible for medical assistance under this section for any of the 3 months before the  
19 month of application for medical assistance benefits.

20          **\*-1485/P2.59\*SECTION 1137.** 49.471 (7) (a) of the statutes is repealed.

21          **\*-1485/P2.60\*SECTION 1138.** 49.471 (7) (b) 1. of the statutes is amended to  
22 read:

23          49.471 (7) (b) 1. ~~A- Eligibility for a~~ pregnant woman whose family income  
24 exceeds 300 133 percent of the poverty line ~~may become eligible for coverage under~~  
25 ~~this section if the difference between the pregnant woman's family income and the~~



~~applicable income limit under sub. (4) (b) is obligated or expended for any member of the pregnant woman's family for medical care or any other type of remedial care recognized under state law or for personal health insurance premiums or for both. Eligibility obtained under this subdivision continues without regard to any change in family income for the balance of the pregnancy and to the last day of the month in which the 60th day after the last day of the woman's pregnancy falls. Eligibility obtained by a pregnant woman under this subdivision extends to all pregnant women in the pregnant woman's family is determined under the method described in s. 49.47 (4) (c).~~

**\*-1485/P2.61\*SECTION 1139.** 49.471 (7) (b) 2. of the statutes is amended to read:

49.471 (7) (b) 2. A child who is not an unborn child, whose family income exceeds 150 percent of the poverty line, and who is ineligible under this section solely because of sub. (8) (b), or whose family income exceeds 300 percent of the poverty line, may obtain eligibility under this section if the difference between the child's family income and 150 percent of the poverty line is obligated or expended on behalf of the child or any member of the child's family for medical care or any other type of remedial care recognized under state law or for personal health insurance premiums or for both. Eligibility obtained under this subdivision during any 6-month period, as determined by the department, continues for the remainder of the 6-month period and extends to all children in the family.

**\*-1485/P2.62\*SECTION 1140.** 49.471 (7) (b) 3. of the statutes is amended to read:

49.471 (7) (b) 3. ~~For a pregnant woman to obtain eligibility under subd. 1., the amount that must be obligated or expended in any 6-month period is equal to the~~

1 ~~sum of the differences in each of those 6 months between the pregnant woman's~~  
2 ~~monthly family income and the monthly family income that is 300 percent of the~~  
3 ~~poverty line.~~ For a child to obtain eligibility under subd. 2., the amount that must  
4 be obligated or expended in any 6-month period is equal to the sum of the differences  
5 in each of those 6 months between the child's monthly family income and the monthly  
6 family income that is 150 percent of the poverty line.

7       \***-1485/P2.63**\*SECTION 1141. 49.471 (7) (c) (intro.) of the statutes is amended  
8 to read:

9       49.471 (7) (c) (intro.) When calculating an individual's family income, the  
10 department shall do all of the following, subject to par. (d):

11       \***-1485/P2.64**\*SECTION 1142. 49.471 (7) (c) of the statutes, as affected by 2013  
12 Wisconsin Act .... (this act), is repealed.

13       \***-1485/P2.65**\*SECTION 1143. 49.471 (7) (d) of the statutes is created to read:

14       49.471 (7) (d) In addition to applying other income counting requirements the  
15 department shall do all of the following:

16       1. When calculating the family income of a member of a household who is not  
17 disabled, include the income of all adults residing in the home for at least 60  
18 consecutive days but exclude the income of a grandparent in a household containing  
19 3 generations, unless the grandparent applies for or receives benefits as a parent or  
20 caretaker relative under this section.

21       2. When determining the size of a family for purposes of determining income  
22 eligibility, exclude from family size an adult whose income is included in a calculation  
23 of family income solely under subd. 1.

1           3. Apply this paragraph only to the extent the federal department of health and  
2     human services approves the income eligibility calculation methods, if approval is  
3     required.

4           \*–1485/P2.66\***SECTION 1144.** 49.471 (7) (e) of the statutes is created to read:

5           49.471 (7) (e) For the purpose of determining family income, the department  
6     shall apply the regulations defining a household under 42 CFR 435.603 (f). To  
7     determine the family size for a pregnant woman, the department shall include the  
8     pregnant woman and the number of babies she is expecting.

9           \*–1485/P2.67\***SECTION 1145.** 49.471 (8) (b) (intro.) of the statutes is amended

10    to read:

11           49.471 (8) (b) (intro.) Except as provided in pars. (c), (cg), (cr), (ct), and (d), an  
12     individual whose family income exceeds 150 percent of the poverty line is not eligible  
13     for BadgerCare Plus if any of the following applies:

14           \*–1485/P2.68\***SECTION 1146.** 49.471 (8) (cg) of the statutes is created to read:

15           49.471 (8) (cg) An individual who is not disabled and not pregnant, who is over  
16     18 years of age, and whose family income exceeds 133 percent of the poverty line is  
17     not eligible for BadgerCare Plus if all of the following apply:

18           1. The individual has any of the following:

19           a. Access to individual or family health coverage provided by an employer in  
20     which the monthly premium that an employee would pay for an employee-only  
21     policy does not exceed 9.5 percent of the family's monthly income.

22           b. Access to individual or family health coverage under the state employee  
23     health plan.

24           2. The individual has access to any coverage described in subd. 1. during any  
25     of the following times:

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1           a. The 12 months before the first day of the month in which an individual  
2 applies for and the month in which an individual applies for BadgerCare Plus.

3           b. The 3 months after the last day of the month in which the individual applies  
4 for BadgerCare Plus.

5           c. The month including the date of the annual determination of the individual's  
6 eligibility for Medical Assistance.

7           3. The individual does not have as a reason for not obtaining health insurance  
8 any of the good cause reasons under (d) 2. a. to e.

9           \*~~1485/P2.69~~**SECTION 1147.** 49.471 (8) (cr) of the statutes is created to read:  
10           49.471 (8) (cr) 1. Subject to subd. 4., an individual who is any of the following  
11 is not eligible for BadgerCare Plus if the criteria under par. (cg) 1. and 2. apply to that  
12 individual:

13           a. An individual who is not disabled and who is a child, or unborn child, of an  
14 individual whose family income is at a level determined by the department but no  
15 lower than 133 percent of the poverty line.

16           b. A parent or caretaker relative who is not disabled, not pregnant, and an adult  
17 and whose family income is at a level determined by the department but no lower  
18 than 100 percent of the poverty line.

19           c. An adult, including a pregnant individual, who is not disabled, who is under  
20 26 years of age; who is eligible to be covered under coverage a parent receives from  
21 an employer; and whose family income is at a level determined by the department  
22 but no lower than 100 percent of the poverty line.

23           2. An individual under subd. 1. is not ineligible if any of the good cause reasons  
24 described in par. (d) 2. a. to e. is the reason that the individual did not obtain health  
25 insurance coverage.

1           3. An individual under subd. 1. c. is not ineligible if any of the following good  
2       cause reasons is the reason the individual did not obtain health insurance coverage:

3           a. The parent of the individual is no longer employed by the employer through  
4       which the parent was eligible for coverage, and the parent does not have current  
5       coverage.

6           b. The employer of the parent of the individual discontinued providing health  
7       benefits to all employees.

8           4. The department may apply this paragraph to eligibility determinations for  
9       for BadgerCare Plus only if the federal department of health and human services  
10      approves of the conditions to make that individual ineligible, if approval is required.

11           \***-1485/P2.70\*SECTION 1148.** 49.471 (8) (ct) of the statutes is created to read:

12           49.471 (8) (ct) 1. If the federal department of health and human services  
13      approves the department's request to add private major medical insurance as a type  
14      of coverage which causes ineligibility, an individual who is not disabled and not  
15      pregnant, who is over 18 years of age, whose family income exceeds 133 percent of  
16      the poverty line, and who has coverage provided by private major medical insurance  
17      in which the monthly premium does not exceed 9.5 percent of the family's monthly  
18      income is not eligible for BadgerCare Plus.

19           2. If the federal department of health and human services approves of the  
20      conditions to make that individual ineligible for BadgerCare Plus, an individual who  
21      is any of the following is not eligible for BadgerCare Plus if he or she has the major  
22      medical insurance coverage described under subd. 1.:

23           a. An individual who is not disabled and who is a child, or unborn child, of an  
24      individual whose family income is at a level determined by the department but no  
25      lower than 133 percent of the poverty line.

1           b. A parent or caretaker relative who is not disabled, not pregnant, and an adult  
2           and whose family income is at a level determined by the department but no lower  
3           than 100 percent of the poverty line.

4           **\*-1485/P2.71\*SECTION 1149.** 49.471 (8) (d) 1. a. of the statutes is amended to  
5           read:

6           49.471 (8) (d) 1. a. A pregnant woman, except as provided in pars. (cr) 1. c. and  
7           (fm) 4.

8           **\*-1485/P2.72\*SECTION 1150.** 49.471 (8) (d) 1. b. of the statutes is amended to  
9           read:

10          49.471 (8) (d) 1. b. A child described in sub. (4) (a) 2. ~~or (b) 2.~~

11          **\*-1485/P2.73\*SECTION 1151.** 49.471 (8) (d) 1. g. of the statutes is created to  
12          read:

13          49.471 (8) (d) 1. g. An adult who is disabled.

14          **\*-1485/P2.74\*SECTION 1152.** 49.471 (8) (d) 2. dg. of the statutes is created to  
15          read:

16          49.471 (8) (d) 2. dg. The insurance is owned by someone not residing with the  
17          family and continuation of the coverage is beyond the family's control.

18          **\*-1485/P2.75\*SECTION 1153.** 49.471 (8) (d) 2. dr. of the statutes is created to  
19          read:

20          49.471 (8) (d) 2. dr. The insurance only covers services provided in a service  
21          area that is beyond a reasonable driving distance.

22          **\*-1485/P2.76\*SECTION 1154.** 49.471 (8) (e) of the statutes is repealed.

23          **\*-1485/P2.77\*SECTION 1155.** 49.471 (8) (f) of the statutes is amended to read:

24          49.471 (8) (f) If an individual with a family income that exceeds 150 percent  
25          of the poverty line had the health insurance coverage specified in par. (b) 1. but no

1 longer has the coverage, or if an individual who is an unborn child or an unborn  
2 child's mother, regardless of family income, had health insurance coverage but no  
3 longer has the coverage, ~~or if a pregnant woman specified in par. (e) has health~~  
4 ~~insurance coverage and does not maintain the coverage~~, the individual ~~or pregnant~~  
5 ~~woman~~ is not eligible for BadgerCare Plus for the 3 calendar months following the  
6 month in which the insurance coverage ended without a good cause reason specified  
7 in par. (g).

8 **\*-1485/P2.78\*SECTION 1156.** 49.471 (8) (fm) of the statutes is created to read:

9 49.471 (8) (fm) If an individual who is one of the following individuals had the  
10 health insurance coverage specified in par. (cg) 1. or (ct) but no longer has the  
11 coverage, the individual is not eligible for BadgerCare Plus for the 3 calendar months  
12 following the month in which the insurance coverage ended without a good cause  
13 reason specified in par. (g):

14 1. An individual who is not disabled and not pregnant, who is over 18 years of  
15 age, and whose family income exceeds 133 percent of the poverty line.

16 2. If the federal department of health and human services approves of the  
17 department's request to make such an individual ineligible, an individual who is not  
18 disabled and who is a child of an individual whose family income is at a level  
19 determined by the department but no lower than 133 percent of the poverty line.

20 3. If the federal department of health and human services approves of the  
21 department's request to make such an individual ineligible, a parent or caretaker  
22 relative who is not disabled, not pregnant, and an adult and whose family income is  
23 at a level determined by the department but no lower than 100 percent of the poverty  
24 line.

1           4. If the federal department of health and human services approves of the  
2 department's request to make such an individual ineligible, an adult, including a  
3 pregnant individual, who is not disabled, who is under 26 years of age; who is eligible  
4 to be covered under coverage a parent receives from an employer; and whose family  
5 income is at a level determined by the department but no lower than 100 percent of  
6 the poverty line.

7           \*~~1485/P2.79~~**SECTION 1157.** 49.471 (8) (g) (intro.), 1., 2., 3., 4. and 5. of the  
8 statutes are amended to read:

9           49.471 (8) (g) (intro.) Any of the following is a good cause reason for purposes  
10 of par. (f) and (fm):

11           1. The individual ~~or pregnant woman~~ was covered by a group health plan that  
12 was provided by a subscriber through his or her employer, and the subscriber's  
13 employment ended for a reason other than voluntary termination, unless the  
14 voluntary termination was a result of the incapacitation of the subscriber or because  
15 of an immediate family member's health condition.

16           2. The individual ~~or pregnant woman~~ was covered by a group health plan that  
17 was provided by a subscriber through his or her employer, the subscriber changed  
18 employers, and the new employer does not offer health insurance coverage.

19           3. The individual ~~or pregnant woman~~ was covered by a group health plan that  
20 was provided by a subscriber through his or her employer, and the subscriber's  
21 employer discontinued health plan coverage for all employees.

22           4. The ~~pregnant woman's~~ individual's coverage was continuation coverage and  
23 the continuation coverage was exhausted in accordance with 29 CFR 2590.701-2 (4).

24           5. The individual's ~~or pregnant woman's~~ coverage terminated due to the death  
25 or change in marital status of the subscriber.



1           **\*-1485/P2.80\*SECTION 1158.** 49.471 (8) (g) 5g. of the statutes is created to  
2 read:

3           49.471 (8) (g) 5g. The insurance coverage is owned by someone not residing  
4 with the family and continuation of the coverage is beyond the family's control.

5           **\*-1485/P2.81\*SECTION 1159.** 49.471 (8) (g) 5r. of the statutes is created to read:

6           49.471 (8) (g) 5r. The insurance coverage only covers services provided in a  
7 service area that is beyond a reasonable driving distance.

8           **\*-1485/P2.82\*SECTION 1160.** 49.471 (9) (a) 2. b. of the statutes is amended to  
9 read:

10          49.471 (9) (a) 2. b. A child described in sub. (4) (a) 2. ~~or (b) 2.~~

11          **\*-1485/P2.83\*SECTION 1161.** 49.471 (10) (b) 1. of the statutes is amended to  
12 read:

13          49.471 (10) (b) 1. Except as provided in ~~subd.~~ subds. 1m. and 4., a recipient who  
14 is an adult, who is not a pregnant woman, and whose family income is greater than  
15 150 percent but not greater than 200 percent of the poverty line shall pay a premium  
16 for coverage under BadgerCare Plus that does not exceed 5 percent of his or her  
17 family income. If the recipient has self-employment income and is eligible under  
18 sub. (4) (b) 4., the premium may not exceed 5 percent of family income calculated  
19 before depreciation was deducted.

20          **\*-1485/P2.84\*SECTION 1162.** 49.471 (10) (b) 1. of the statutes, as affected by  
21 2013 Wisconsin Act .... (this act), is amended to read:

22          49.471 (10) (b) 1. Except as provided in subds. 1m. and 4., a recipient who is  
23 an adult, who is not a pregnant woman, and whose family income is greater than 150  
24 percent but not greater than 200 percent of the poverty line shall pay a premium for  
25 coverage under BadgerCare Plus that does not exceed 5 percent of his or her family

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1 income. ~~If the recipient has self-employment income and is eligible under sub. (4)~~  
2 ~~(b) 4., the premium may not exceed 5 percent of family income calculated before~~  
3 ~~depreciation was deducted.~~

4 **\*-1485/P2.85\*SECTION 1163.** 49.471 (10) (b) 1m. of the statutes is created to  
5 read:

6 49.471 (10) (b) 1m. Except as provided in subd. 4., a recipient who is an adult  
7 parent or adult caretaker relative; who is not disabled, pregnant, or American  
8 Indian; and whose family income exceeds 133 percent of the federal poverty line shall  
9 pay a premium for coverage under BadgerCare Plus in an amount determined by the  
10 department that is based on a formula in which costs decrease for those with lower  
11 family incomes and that is no less than 3 percent of family income but no greater than  
12 9.5 percent of family income. If the recipient has self-employment income and is  
13 eligible under sub. (4) (b) 4., the premium may not exceed 5 percent of family income  
14 calculated before depreciation was deducted.

15 **\*-1485/P2.86\*SECTION 1164.** 49.471 (10) (b) 1m. of the statutes, as affected by  
16 2013 Wisconsin Act .... (this act), is repealed.

17 **\*-1485/P2.87\*SECTION 1165.** 49.471 (10) (b) 2. of the statutes is amended to  
18 read:

19 49.471 (10) (b) 2. Except as provided in subds. 3. 3m. and 4., a recipient who  
20 is a child whose family income is greater than 200 percent of the poverty line shall  
21 pay a premium for coverage of the benefits described in sub. (11) that does not exceed  
22 the full per member per month cost of coverage for a child with a family income of  
23 300 percent of the poverty line.

24 **\*-1485/P2.88\*SECTION 1166.** 49.471 (10) (b) 3. of the statutes is repealed.

1           **\*-1485/P2.89\*SECTION 1167.** 49.471 (10) (b) 3m. of the statutes is created to  
2 read:

3           49.471 (10) (b) 3m. A recipient who is a child, who is not disabled, and whose  
4 family income is at a level determined by the department that is at least 150 percent  
5 of the poverty line shall pay a premium in an amount determined by the department.  
6 The department may apply this subdivision only to the extent the federal  
7 department of health and human services approves applying a premium to those  
8 individuals, if approval is required.

9           **\*-1485/P2.90\*SECTION 1168.** 49.471 (10) (b) 4. (intro.) of the statutes is  
10 amended to read:

11           49.471 (10) (b) 4. (intro.) None of the following shall pay a premium, except as  
12 provided in subd. 3m.:

13           **\*-1485/P2.91\*SECTION 1169.** 49.471 (10) (b) 4. b. of the statutes is amended  
14 to read:

15           49.471 (10) (b) 4. b. A child who is eligible under sub. (4) (a) 2. ~~or (b) 2.~~

16           **\*-1485/P2.92\*SECTION 1170.** 49.471 (10) (b) 5. of the statutes is amended to  
17 read:

18           49.471 (10) (b) 5. If a recipient who is required to pay a premium under this  
19 paragraph or under sub. (2m) or (4) (c) either does not pay a premium when due or  
20 requests that his or her coverage under this section be terminated, the recipient's  
21 coverage terminates ~~and. If the recipient is an adult,~~ the recipient is not eligible for  
22 BadgerCare Plus for ~~6~~ 12 consecutive calendar months following the date on which  
23 the recipient's coverage terminated, except for any month during that ~~6-month~~  
24 12-month period when the recipient's family income does not exceed ~~150~~ 133 percent  
25 of the poverty line. If the recipient is a child, the recipient is not eligible for

1 BadgerCare Plus for 6 consecutive calendar months, or 12 consecutive calendar  
2 months if the federal department of health and human services approves, following  
3 the date on which the recipient's coverage terminated, except for any month during  
4 that period when the recipient's family income does not exceed 150 percent of the  
5 poverty line.

6 \*~~1485/P2.93~~**SECTION 1171.** 49.471 (10) (b) 5. of the statutes, as affected by  
7 2013 Wisconsin Act .... (this act), is amended to read:

8 49.471 (10) (b) 5. If a recipient who is required to pay a premium under this  
9 paragraph or under sub. (2m) ~~or (4) (e)~~ either does not pay a premium when due or  
10 requests that his or her coverage under this section be terminated, the recipient's  
11 coverage terminates. If the recipient is an adult, the recipient is not eligible for  
12 BadgerCare Plus for 12 consecutive calendar months following the date on which the  
13 recipient's coverage terminated, except for any month during that 12-month period  
14 when the recipient's family income does not exceed 133 percent of the poverty line.  
15 If the recipient is a child, the recipient is not eligible for BadgerCare Plus for 6  
16 consecutive calendar months, or 12 consecutive calendar months if the federal  
17 department of health and human services approves, following the date on which the  
18 recipient's coverage terminated, except for any month during that period when the  
19 recipient's family income does not exceed 150 percent of the poverty line.

20 \*~~1485/P2.94~~**SECTION 1172.** 49.471 (11) (intro.) of the statutes is amended to  
21 read:

22 49.471 (11) BENCHMARK PLAN BENEFITS AND COPAYMENTS. (intro.) ~~Recipients~~  
23 Except as provided in sub. (11r) and s. 49.45 (24j), recipients who are not eligible for  
24 the benefits described in s. 49.46 (2) (a) and (b) shall have coverage of the following  
25 benefits and pay the following copayments:

1           \*~~1485/P2.95~~**SECTION 1173.** 49.471 (11) (a) of the statutes is amended to read:

2           49.471 (11) (a) Subject to sub. (6) (k), prescription drugs bearing only a generic  
3           name, as defined in s. 450.12 (1) (b), with a copayment of no more than \$5 per  
4           prescription, ~~and subject to the Badger Rx Gold program discounts.~~

5           \*~~1485/P2.96~~**SECTION 1174.** 49.471 (11r) of the statutes is created to read:

6           49.471 (11r) ALTERNATE BENCHMARK PLAN BENEFITS AND COPAYMENTS. (a) If the  
7           department chooses to provide the alternate benchmark plan under this subsection,  
8           the department shall provide to the recipients described under sub. (4) (e) coverage  
9           for benefits similar to those in a commercial, major medical insurance policy.

10          (b) The department may charge copayments to recipients receiving coverage  
11          under the alternate benchmark plan under this subsection that are higher than  
12          copayments charged to recipients receiving coverage under the standard plan under  
13          s. 49.46 (2). The department may not charge to a recipient of coverage under the  
14          alternate benchmark plan under this subsection whose family income is at or below  
15          150 percent of the poverty line a copayment that exceeds 5 percent of the individual's  
16          family income for all members of the family.

17          (c) 1. The department may only provide coverage under the alternate  
18          benchmark plan under this subsection to the extent the alternate benchmark plan  
19          is approved by the federal department of health and human services.

20          2. If the department is providing coverage under the alternate benchmark plan  
21          under this subsection the department may discontinue coverage under the  
22          benchmark plan under sub. (11) for those individuals eligible for the alternate  
23          benchmark plan under this subsection.

1           3. The department may provide services to individuals enrolled in the alternate  
2 benchmark plan under this subsection through a medical home initiative similar to  
3 an initiative described under s. 49.45 (24j).

4           \*~~1096/3.7~~**SECTION 1175.** 49.472 (1) (c) of the statutes is amended to read:

5           49.472 (1) (c) “Independence account” means an account approved by the  
6 department that consists solely of savings, and dividends or other gains derived from  
7 those savings, from income earned from paid employment ~~after the initial date on~~  
8 ~~which~~ while an individual ~~began~~ is receiving medical assistance under this section.

9           \*~~1096/3.8~~**SECTION 1176.** 49.472 (3) (a) of the statutes is amended to read:

10          49.472 (3) (a) The individual’s ~~family’s and his or her spouse’s total~~ net income  
11 is less than 250% of the poverty line for a family the size of the individual’s family.  
12 ~~In~~ For purposes of calculating the net income under this paragraph, the department  
13 shall apply all of the exclusions specified under 42 USC 1382a (b), except that  
14 exclusions applied under 42 USC 1382a (b) (4) to earned income shall be applied to  
15 earned and unearned income combined, and shall exclude up to \$500 per month of  
16 the individual’s out-of-pocket medical and remedial expenses and long-term care  
17 costs, if any.

18          \*~~1096/3.9~~**SECTION 1177.** 49.472 (3) (b) of the statutes is amended to read:

19          49.472 (3) (b) The individual’s assets do not exceed \$15,000. In determining  
20 assets, the department may not include assets that are excluded from the resource  
21 calculation under 42 USC 1382b (a) ~~or~~; assets accumulated in an independence  
22 account; or, to the extent approved by the federal government, income or assets from  
23 retirement benefits earned or accumulated from income or employer contributions  
24 while the individual was employed and eligible for and receiving medical assistance

1 under this section. The department may exclude, in whole or in part, the value of a  
2 vehicle used by the individual for transportation to paid employment.

3 **\*-1096/3.10\*SECTION 1178.** 49.472 (3) (f) of the statutes is amended to read:

4 49.472 (3) (f) The individual, if required to pay a premium under sub. (4) (a)  
5 1., maintains premium payments calculated by ~~the department~~ in accordance with  
6 sub. (4), unless the individual is exempted from premium payments under sub. (4)  
7 ~~(b) or (5).~~

8 **\*-1096/3.11\*SECTION 1179.** 49.472 (3m) of the statutes is created to read:

9 49.472 (3m) VERIFYING INCOME. The department shall verify income from work  
10 activity under sub. (3) (a) and (g) through documentation provided by the individual.  
11 The department shall require that, for an individual to be engaged in gainful  
12 employment under sub. (3) (g), the individual must be working and paying, or having  
13 withheld, federal social security and Medicare taxes and other applicable state or  
14 federal income taxes. The department shall require that the individual provide  
15 documentation of the taxes paid or withheld.

16 **\*-1096/3.12\*SECTION 1180.** 49.472 (4) (a) (intro.) of the statutes is repealed.

17 **\*-1096/3.13\*SECTION 1181.** 49.472 (4) (a) 1. of the statutes is repealed and  
18 recreated to read:

19 49.472 (4) (a) 1. An individual who is eligible for medical assistance under sub.  
20 (3) and receives medical assistance shall pay a monthly premium to the department  
21 if the individual's total earned and unearned income is equal to at least 150 percent  
22 of the poverty line for an individual.

23 **\*-1096/3.14\*SECTION 1182.** 49.472 (4) (a) 1m. of the statutes is created to read:

1           49.472 (4) (a) 1m. Except as provided in par. (b), the premium required under  
2           subd. 1. shall be equal to 3 percent of the individual's total earned and unearned  
3           income, after the deductions specified in subd. 2., rounded down to the nearest \$25.

4           \***-1096/3.15\*SECTION 1183.** 49.472 (4) (a) 2. (intro.) of the statutes is amended  
5           to read:

6           49.472 (4) (a) 2. (intro.) In determining an individual's total earned and  
7           unearned income under subd. 1. 1m., the department shall disregard all of the  
8           following:

9           \***-1096/3.16\*SECTION 1184.** 49.472 (4) (a) 2m. of the statutes is repealed.

10          \***-1096/3.17\*SECTION 1185.** 49.472 (4) (a) 3. of the statutes is amended to read:

11          49.472 (4) (a) 3. The Subject to par. (b), the department may reduce the  
12          premium by 25% for an individual who is covered by private health insurance.

13          \***-1096/3.18\*SECTION 1186.** 49.472 (4) (b) of the statutes is amended to read:

14          49.472 (4) (b) The ~~department may waive monthly premiums that are~~  
15          ~~calculated to be below \$10~~ minimum premium payable by an individual specified in  
16          par. (a) 1. is \$50 per month. Unless otherwise provided by the department by a policy  
17          created under s. 49.45 (2m) (c), the department may not assess a monthly premium  
18          for any individual whose ~~income level, after adding the individual's~~ total earned  
19          ~~income and unearned income,~~ is below 150% of the poverty line for an individual.

20          \***-1096/3.19\*SECTION 1187.** 49.472 (4) (b) of the statutes, as affected by 2011  
21          Wisconsin Act 32 and 2013 Wisconsin Act .... (this act), is repealed and recreated to  
22          read:

23          49.472 (4) (b) The minimum premium payable by an individual specified in par.  
24          (a) 1. is \$50 per month. The department may not assess a monthly premium for any



1 individual whose total earned and unearned income is below 150 percent of the  
2 poverty line for an individual.

3 **\*-1096/3.20\*SECTION 1188.** 49.472 (5) of the statutes is amended to read:

4 49.472 (5) COMMUNITY OPTIONS PARTICIPANTS. From the appropriation under s.  
5 20.435 (7) (bd), the department may pay all or a portion of the monthly premium  
6 calculated under sub. (4) ~~(a)~~ for an individual who is a participant in the community  
7 options program under s. 46.27 (11).

8 **\*-0217/1.1\*SECTION 1189.** 49.475 (title) of the statutes is amended to read:

9 49.475 (title) **Information about assistance program beneficiaries;**  
10 **electronic submission of claims.**

11 **\*-0217/1.2\*SECTION 1190.** 49.475 (2) (except 49.475 (2) (title)) of the statutes  
12 is renumbered 49.475 (2) (ac), and 49.475 (2) (ac) 1. b. and 4. (intro.), as renumbered,  
13 are amended to read:

14 49.475 (2) (ac) 1. b. If subd. 1. a. applies, the nature and period of time of any  
15 coverage, benefit, or service provided, including the name, address, and identifying  
16 number of any applicable coverage plan.

17 4. (intro.) If all of the following apply, agree not to deny a claim submitted by  
18 the department under ~~par. (b)~~ subd. 2. solely because of the claim's submission date,  
19 the type or format of the claim form, or failure by a recipient to present proper  
20 documentation at the time of delivery of the service, benefit, or item that is the basis  
21 of the claim:

22 **\*-0217/1.3\*SECTION 1191.** 49.475 (2) (bc) of the statutes is created to read:

23 49.475 (2) (bc) A 3rd party shall accept the submission of claims from the  
24 department under par. (ac) 2. in electronic form and shall timely pay the claims in  
25 the manner provided in s. 628.46 (1) and (2). For purposes of timely payment of

1 claims under this paragraph, “written notice” under s. 628.46 (1) includes receipt of  
2 a claim in electronic form.

3 \*–0217/1.4\*SECTION 1192. 49.475 (2m) (a) of the statutes is amended to read:

4 49.475 (2m) (a) The information that the department may request under this  
5 section is limited to the information specified in sub. (2) (a) (ac) 1. and does not  
6 include an employer’s name unless that information is necessary for the department  
7 or a provider to obtain 3rd-party payment for an item or service.

8 \*–0217/1.5\*SECTION 1193. 49.475 (2m) (b) of the statutes is amended to read:

9 49.475 (2m) (b) If information under sub. (2) ~~(a)~~ (ac) 1. may be available from  
10 more than one source that includes an employer operating a self-insured plan, the  
11 department shall seek the information first from a 3rd-party administrator or other  
12 entity identified in sub. (1) (f) 7. or pharmacy benefits manager before seeking the  
13 information from the employer.

14 \*–0217/1.6\*SECTION 1194. 49.475 (3) (intro.) of the statutes is amended to read:

15 49.475 (3) WRITTEN AGREEMENT. (intro.) Upon requesting a 3rd party to provide  
16 the information under sub. (2) ~~(a)~~ (ac) 1., the department and the 3rd party shall  
17 enter into a written agreement that satisfies all of the following:

18 \*–0217/1.7\*SECTION 1195. 49.475 (4) (a) of the statutes is amended to read:

19 49.475 (4) (a) A 3rd party shall provide the information requested under sub.  
20 (2) ~~(a)~~ (ac) 1. within 180 days after receiving the department’s request if it is the first  
21 time that the department has requested the 3rd party to disclose information under  
22 this section.

23 \*–0217/1.8\*SECTION 1196. 49.475 (4) (b) of the statutes is amended to read:

24 49.475 (4) (b) A 3rd party shall provide the information requested under sub.  
25 (2) ~~(a)~~ (ac) 1. within 30 days after receiving the department’s request if the